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EXAMINER	
JACKSON, JAKIEDA R	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/768,813	RUBIN ET AL.	
	Examiner	Art Unit	
	Jakieda R Jackson	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-88 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-88 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 25 January 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-6, 9-29, 31-36, 39-48, 50-76 and 83-88**are rejected under 35 U.S.C. 102(e) as being anticipated by Vertelney et al. (U.S. Patent No. 6,760,884), hereinafter referenced as Vertelney.

Regarding **claim 1**, Vertelney discloses a system for receiving audio input comprising:

a display (computer display, television display, etc.) for displaying electronic information (photos; column 4, lines 56-65);

an audio input (input audio commentary) receiving audio content (column 5, lines 13-17); and

a processor (figure 7, element 706) for associating (associate) said received audio content with said displayed electronic information (photos; column 4, lines 54-65).

Regarding **claim 2**, Vertelney discloses a system wherein said audio content is in the form of audio clips (column 7, line 62).

Regarding **claim 3**, Vertelney discloses a system said processor further associating at least one property with said audio content (photos and associated auditory content) and wherein said audio content is randomly accessible based on said at least one property (any suitable order; column 11, lines 6-15).

Regarding **claim 4**, Vertelney discloses a system further comprising: a storage (memory) for storing said audio content with said at least one property (column 6, lines 10-13).

Regarding **claim 5**, Vertelney discloses a system further comprising:

an input receiving a user's input (figure 1A, element 150; column 5, lines 1-4 with column 9, lines 23-28),

wherein said processor starts recording audio content from said audio input in response to said user's input (column 13, lines 20-30).

Regarding **claim 6**, Vertelney discloses a system wherein said processor includes a voice activated recording system for recording said audio content (record button; column 5, lines 14-30).

Regarding **claim 9**, Vertelney discloses a system wherein said processor controls said display to indicate that audio content (audio narration) is associated (associated) with said displayed electronic information (photos; column 4, lines 54-65).

Regarding **claim 10**, Vertelney discloses a system for playing audio content, said system comprising:

a display (computer dismay, television display, etc.) for displaying electronic information (photos; column 4, lines 56-65);

a storage (memory) for storing audio content, said audio content including properties and having been associated with said displayed electronic information (column 6; lines 10-13 with column 5, lines 14-18);

an output (column 9, lines 23-28) for outputting at least some of said audio content with navigation of said displayed electronic information (column 5, lines 14-18); and

a processor (figure 7, element 706) for controlling said display, said storage and said output (column 4, lines 54-65 with column 5, lines 33-35).

Regarding **claim 11**, Vertelney discloses a system wherein said audio content are audio clips (column 7, line 62).

Regarding **claim 12**, Vertelney discloses a system wherein said audio content is randomly addressable based on said properties (any suitable order; column 11, lines 14-15).

Regarding **claim 13**, Vertelney discloses a system wherein said storage is a database (figure 2, element 202 and 203).

Regarding **claim 14**, Vertelney discloses a system further comprising:

an input for receiving a user's input (input system; figure 1A, element 150; column 5, lines 1-4 with column 15, lines 25-27),

wherein said output outputs at least some of said audio content in response to receiving said user's input (column 5, lines 14-30 with column 9, lines 23-28).

Regarding **claim 15**, Vertelney discloses a system further comprising:

an input for receiving a user's input (figure 1A, element 150; column 5, lines 1-4 with column 9, lines 23-28),

wherein said processor searches properties of said stored audio content in response to said user's input (column 13, lines 20-30 with column 16, lines 1-11).

Regarding **claim 16**, Vertelney discloses a system wherein the output of said processor is sent to said display to display an indication of the search results (column 16, lines 1-11).

Regarding **claim 17**, Vertelney discloses a system wherein the output of said controller is sent to the output for playing audio content with properties matching the search results (column 5, lines 39-53 with column 9, lines 21-30).

Regarding **claim 18**, Vertelney discloses a system wherein said processor retrieves all audio content associated with said electronic information when said electronic information is accessed (column 5, lines 39-53 with column 14, lines 46-52).

Regarding **claim 19**, Vertelney discloses a system wherein said processor outputs selected audio content to be played through said output when a page of said electronic information is displayed (column 14, lines 46-52).

Regarding **claim 20**, Vertelney discloses a system wherein said processor automatically plays said selected audio content when said page is displayed (automatically play back; column 5, lines 14-30).

Regarding **claim 21**, Vertelney discloses a system further comprising:

a communication link ("cable to PC") to transmit said audio content with its properties (column 6, lines 22-23).

Regarding **claim 22**, Vertelney discloses a system further comprising:

a network connected to said communication link (interconnected communication links) for receiving said audio content with properties, said network being accessible by other users (column 8, lines 27-36).

Regarding **claim 23**, Vertelney discloses a system further comprising:

a receiving device of another user for receiving said audio content with properties, said receiving device receiving said audio content through one of a wired or wireless interface (cable connections; column 8, lines 27-36).

Regarding **claim 24**, Vertelney discloses a system wherein said network further processes said audio content (processes voice input; column 5, lines 45-46).

Regarding **claim 25**, Vertelney discloses a system wherein said network includes a database (memory) for storing said audio content (column; column 10-13 and figure 2, element 202 and 203).

Regarding **claim 26**, Vertelney discloses a system wherein said network receives audio content without receiving said electronic information associated with said audio content (recording associated with photos; column 5, lines 13-17).

Regarding **claim 27**, Vertelney discloses a user interface for displaying electronic information to a user comprising:

a first display portion for displaying a portion of a document (several photo images may be displayed; column 12, lines 56-62); and

a second display portion for displaying a graphical indication that said document includes an audio annotation associated with said displayed portion of said document (column 13, lines 6-11).

Regarding **claim 28**, Vertelney discloses a user interface further comprising:

a third display portion for displaying a non-audio annotation (several photo images may be displayed; column 12, lines 56-62).

Regarding **claim 29**, Vertelney discloses a user interface further comprising:

a third display portion for displaying an indication that said audio annotation is being recorded or played back (colored light; column 11, lines 7-10).

Regarding **claim 31**, Vertelney discloses a user interface further comprising:

a third display portion for receiving a user input of a property (input system; figure 1A, element 150; column 5, lines 1-4)

Regarding **claim 32**, Vertelney discloses a user interface wherein said audio annotation is recordable by said user (audio commentary; column 5, lines 14-30).

Regarding **claim 33**, Vertelney discloses a process for recording an audio annotation comprising the steps of:

displaying electronic information (story information displayed; column 8, lines 1-6);

receiving a user input (input system; figure 1A, element 150; column 5, lines 1-4);

recording an audio annotation in response to said user input (recording audio commentary; column 5, lines 14-30); and

associating said audio annotation (audio commentary) with properties including a displayed portion of said electronic information (photo; column 5, lines 13-30).

Regarding **claim 34**, Vertelney discloses a process further comprising the step of:

storing said audio annotation (audio commentary) prior to the association of said audio annotation with said displayed portion (column 5, lines 14-30).

Regarding **claim 35**, Vertelney discloses a process further comprising the step of:

storing said audio annotation after the association of said audio annotation with said displayed portion (add voice to photos; column 10, lines 49-51).

Regarding **claim 36**, Vertelney discloses a process wherein said recording step records all ambient sounds (recording sound; column 5, lines 14-30).

Regarding **claim 39**, Vertelney discloses a process further comprising the step of:

associating additional properties with said audio annotation at the start of recording of said audio annotation (graphic layout; column 11, lines 35-36 with lines 54-62).

Regarding **claim 40**, Vertelney discloses a process wherein one of said properties is a file position or document position of an item on said displayed portion of said electronic information (reference element having I.D.; column12, lines 63-65 with figure 6).

Regarding **claim 41**, Vertelney discloses a process wherein one of said properties is a start identification of said displayed portion of said electronic information (datestamp; column 12, lines 43-45 with figure 6).

Regarding **claim 42**, Vertelney discloses a process, further comprising the steps of:

storing said audio annotation (audio clips; column 10, lines 7-9); and

searching audio annotations (particular set of audio data) including said audio annotation for at least one property matching a query (column 6, lines 6-21).

Regarding **claim 43**, Vertelney discloses a process for playing audio annotations comprising the steps of:

displaying a portion of electronic information (story information displayed; column 8, lines 1-6);

receiving a user input (input system; column 5, lines 1-5);

retrieving audio annotations (audio narration; column 4, lines 58-60);

assembling said audio annotations into an audio stream; (configured to compress the voice data; column 5, lines 49-53); and

playing said audio stream (playback; column 5, lines 49-53.

Regarding **claim 44**, Vertelney discloses a process further comprising the step of:

waiting for a second user input (voice input) prior to playing said audio stream (column 5, lines 40-53).

Regarding **claim 45**, Vertelney discloses a process, further comprising the step of:

playing once said audio stream is assembled (plays back; column 5, lines 14-30).

Regarding **claim 46**, Vertelney discloses a process wherein said user input is a text query (inherent in a keyboard; column 9, lines 23-28).

Regarding **claim 47**, Vertelney discloses a process wherein said user input is a voice query (voice; column 9, lines 23-28).

Regarding **claim 48**, Vertelney discloses a process further comprising the steps of:

altering (select graphic layout) the display of said portion to match a currently playing annotation in said audio stream (column 11, lines 31-44 and controlling how story is played; column 5, lines 31-38).

Regarding **claim 50**, Vertelney discloses a process for playing audio annotations comprising the steps of:

navigating to a page (column 8, lines 15-19 with column 10, lines 33-34);

retrieving at least one audio annotation associated with a page or associated with an item on a page (column 8, lines 3-6); and

playing said at least one audio annotation (playing audio commentary; column 5, lines 14-30).

Regarding **claim 51**, Vertelney discloses a process further comprising the step of:

waiting for a user input prior to playing said audio annotation (automatically plays back after recording; column 5, lines 14-30).

Regarding **claim 52**, Vertelney discloses a process wherein said item on said page includes inked notes (figure 1A, element 152).

Regarding **claim 53**, Vertelney discloses a process wherein said at least one audio annotation was previously retrieved and said retrieving step includes indexing said previously retrieved at least one audio annotation (elements having I.D.; column 12, line 63 – column 13, line 5).

Regarding **claim 54**, Vertelney discloses a process wherein said at least one audio annotation is the result of a newly executed query("new story" button pressed; column 13, lines 20-25).

Regarding **claim 55**, Vertelney discloses a computer readable medium having a data structure stored thereon (column 6, line 61), said data structure comprising:

a document (photo; column 11, lines 11-14);

a link object (auditory content; column 11, lines 11-14); and

audio content with at least one property (column 11, lines 11-14),

wherein said link object references said document and references said audio content (column 11, lines 11-14).

Regarding **claim 56**, Vertelney discloses a data structure wherein said property relates to the time said audio content started recording (datestamp; column 12, lines 43-45 with figure 6).

Regarding **claim 57**, Vertelney discloses a data structure wherein said property relates to the time said audio content stopped recording (datestamp; column 12, lines 43-45 with figure 6).

Regarding **claim 58**, Vertelney discloses a data structure wherein said property relates to the length of recording of said audio content (datestamp; column 12, lines 43-45 with figure 6).

Regarding **claim 59**, Vertelney discloses a data structure wherein said property relates to the author of the recording (uniquely identifies author; column 11, lines 19-20 with column 12, lines 42-45).

Regarding **claim 60**, Vertelney discloses a data structure wherein said property relates to the start ID (record button; column 5, lines 14-30 with timestamp; figure 6).

Regarding **claim 61**, Vertelney discloses a data structure wherein said property relates to the stop ID (stop playback; column 5, lines 14-30 with timestamp; figure 6).

Regarding **claim 62**, Vertelney discloses a data structure wherein said audio content is comprised of a plurality of audio clips (one or more audio files; column 6, line 9 and audio clips; column 7, line 62).

Regarding **claim 63**, Vertelney discloses a data structure wherein said audio clips are stored in a database (column 7, lines 59-67).

Regarding **claim 64**, Vertelney discloses a data structure wherein said property is one of plurality of properties and said properties are in a marked up language form (tagging groups; column 9, line 63 – column 10, line 8).

Regarding **claim 65**, Vertelney discloses a data structure wherein said properties are in XML (XML; column 9, line 63 – column 10, line 8).

Regarding **claim 66**, Vertelney discloses a data structure wherein said audio content is stored within a document (photos associated with auditor content; column 11, lines 11-14).

Regarding **claim 67**, Vertelney discloses a data structure wherein said audio content is stored apart from a document (storing audio file; column 6, lines 10-13).

Regarding **claim 68**, Vertelney discloses a data structure wherein said audio content is stored in a database (memory) with at least one property designating the position of viewed document relating to said audio content (references to audio files; column 6, lines 19-21).

Regarding **claim 69**, Vertelney discloses a data structure wherein said audio content is stored in a database and linked to a separate annotation document that stores the position of a viewed document relating to said audio content (column 8, lines 1-6).

Regarding **claim 70**, Vertelney discloses a process for recording audio content comprising the steps of:

navigating to a page of a document (switching between; column 11, lines 1-3);

recording said audio content (recording sound; column 5, lines 13-30); and

associating properties with said audio content such that retrieval of said audio content positions said audio content after previously recorded audio content (column 11, lines 11-14 with column 14, lines4-12).

Regarding **claim 71**, Vertelney discloses a process, wherein said audio content comprises audio clips and wherein said associating step includes a time property (column 7, lines 59-63 with timestamps, figure 6).

Regarding **claim 72**, Vertelney discloses a process wherein said audio content and said previously recorded audio content is ordered at least by said time property (timestamp; figure 6).

Regarding **claim 73**, Vertelney discloses process of searching audio clips comprising the steps of:

inputting search terms or properties (column 16, lines 1-20);

searching said audio clips for said search terms or properties (column 16, lines 1-20); and

ordering audio clips detected by said searching step for output (column 16, lines 1-20).

Regarding **claim 74**, Vertelney discloses a process wherein said inputting step further comprises the steps of:

receiving verbally delimited keywords (story tags delimited; column 12, lines 35-37); and

converting said verbally delimited keywords into search terms or properties (form pointers; column 12, lines 35-42).

Regarding **claim 75**, Vertelney discloses a process for recording audio information comprising the steps of:

recording audio signals as a first file (one or more audio files; column 6, line 9);

processing said file to extract audio clips (column 6, lines 6-20); and

storing said audio clips (audio files; column 6, line 9 and column 8, lines 1-6),

wherein said processing separates the content of said first file into audio clips based on events (particular set of audio data; column 6, lines 6-20).

Regarding **claim 76**, Vertelney discloses a process,

wherein said audio signals include speech (voice data; column 6, line 9), and

wherein said events comprise a user navigating away from a displayed page (column 8, lines 15-19 with slideshow; column 10, lines 33-34).

Regarding **claim 83**, Vertelney discloses a process for playing audio notes comprising the steps of:

displaying a first page of electronic information (first photo; column 14, lines 46-52);

playing audio notes associated with said first page (column 14, lines 46-52);

displaying a second page of electronic information (sequentially like a slide show; column 10, line 33-34); and

playing audio notes associated with said second page (column 14, lines 46-52).

Regarding **claim 84**, Vertelney discloses a process further comprising the step of receiving user input (column 5, lines 13-15),

wherein, in response to said user input, said second page is displayed (sequentially like a slideshow; column 10, lines 33-34).

Regarding **claim 85**, Vertelney discloses a process of recording audio notes comprising the steps of:

displaying a first page of electronic information (first photo; column 14, lines 46-52);

recording a first set of audio notes recording audio commentary; column 5, lines 14-30);

associating said first set of audio notes with said first page (column 14, lines 46-52);

displaying a second page of electronic information (sequentially like a slide show; column 10, line 33-34);

recording a second set of audio notes (one or more audio files; column 6, line 9); and

associating said second set of audio notes with said second page (column 14, lines 46-52).

Regarding **claim 86**, Vertelney discloses a process further comprising the step of receiving user input, wherein, in response to said user input, said second page is displayed (sequentially like a slideshow; column 10, lines 33-34).

Regarding **claim 87**, Vertelney discloses a process for editing audio notes comprising the steps of:

querying a database for audio information (column 16, lines 1-20);

ordering said audio information into audio notes (column 16, lines 1-20); and

performing editing features on said audio notes (edit list; column 6, lines 10-13).

Regarding **claim 88**, Vertelney discloses a process wherein said editing comprises at least one of the steps of:

adding audio information (audio narration added; column 4, lines 58-60 with column 10, line 50);

deleting audio information (erase button; column 5, lines 20-22); and

overwriting existing audio information (changed the currently displayed; (column 16, lines 12-20).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 7 and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Hou et al. (U.S. Patent No. 5,838,313), hereinafter referenced as Hou.

Regarding **claim 7**, Vertelney discloses a system wherein said voice activated recording system, but lacks wherein the system records when said audio content exceeds a predetermined threshold.

Hou discloses a system wherein the system records when said audio content exceeds (is not less than) a predetermined threshold (column 7, lines 63-65), to determine distance between previous and new events.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vertelney's invention such that it records when said audio content exceeds a predetermined threshold as in Hou, to have a report which consists of the individual's visual and audio annotations, which can be synchronizes for playing back (column 2, lines 30-36).

Regarding **claim 37**, Hou discloses a process wherein said recording step records only sounds above a predetermined threshold (is not less than the threshold; column 7, lines 63-65), to determine distance between previous and new events.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vertelney's invention such that it records only sounds above a predetermined threshold as in Hou, to have a report which consists of the individual's visual and audio annotations, which can be synchronizes for playing back (column 2, lines 30-36).

5. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Dwyer et al. (U.S. Patent No. 6,571,211), hereinafter referenced as Dwyer.

Regarding **claim 8**, Vertelney discloses a system for receiving audio input, but lacks wherein said voice activated recording system records when a known user's voice is detected in said audio content.

Dwyer discloses the system wherein said voice activated recording system records when a known user's voice is detected in said audio content (column 7, lines 46-67), so that the users may more readily locate their own voice data files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vertelney's invention such that the

recording step records only a specific user's voice, to identify an author of a voice data file, which aids in indexing the voice data files, so that the users may more readily locate their own voice data files (column 7, lines 46-67).

6. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Manbeck (U.S. Patent Publication No. 2001/0031128).

Regarding **claim 30**, Vertelney discloses a user interface, but lacks a third display portion for displaying one of a document tape or a master tape.

Manbeck discloses a user interface comprising a third display portion (visual display) for displaying a master tape (digital video master; column 1, paragraph 0003 with column 2, paragraph 0018), for commercial release.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ventelney's invention such that it comprises a third display portion for displaying one of a document tape or a master tape as is Manbeck, to capture visual and audio data at an important junction prior to final release (column 1, paragraph 0003).

7. **Claim 38** is rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Hou, as applied to claim 37, further in view of Dwyer.

Regarding **claim 38**, Vertelney in view of Hou discloses a system for receiving audio input, but lacks wherein said recording step records only a specific user's voice.

Dwyer discloses the system wherein said recording step records only a specific user's voice (column 7, lines 46-67), so that the users may more readily locate their own voice data files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vertelney in combination with Hou's invention such that voice activated recording system records when a known user's voice is detected in said audio content as in Dwyer, to identify an author of a voice data file, which aids in indexing the voice data files, so that the users may more readily locate their own voice data files (column 7, lines 46-67).

8. **Claim 49** is rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Pritt (U.S. Patent No. 5,689,717).

Regarding **claim 49**, Vertelney discloses a process for recording an audio annotation, but lacks including the steps of comparing the length and displaying a portion of electronic information.

Pritt discloses the process including the steps of:

comparing the length (determining the position) of said currently playing annotation with the starting identifications of displayable portions of said electronic information (column 4, lines 15-30); and

displaying the portion of said electronic information (display annotations) supporting the greater length of said currently playing annotation (currently displayed; column 4, lines 15-30), for the placement of annotations on a computer display of various sizes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vertelney's invention such that it includes the steps of comparing the length and displaying a portion of electronic information as in Pritt, for placement of annotations of various sizes without overlapping currently displayed annotations (column 1, lines 10-15).

9. **Claims 77-82** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vertelney in view of Arons et al. (U.S. Patent No. 6,529,920), hereinafter referenced as Arons.

Regarding **claim 77**, Vertelney discloses a process for associating audio notes and handwritten notes comprising the steps of:

creating a handwritten note (handwriting recognizer; column 9, lines 23-28);

associating a time at which said handwritten note was created with said handwritten note;

creating an audio note (voice; column 9, lines 23-28); and

associating a time at which said audio note was created with said audio note (datestamp; column 12, lines 43-45 with figure 6), but lacks wherein, upon selection of said handwritten note, audio notes recorded at or near the time at which said handwritten note was created are located.

Arons discloses the process wherein upon selection of said handwritten note (handwritten note), audio notes recorded (audio) at or near the time (while) at which said handwritten note was created are located (column 3, lines 1-9 with column 7, lines 38-48), to cue a recording to a recording corresponding to the user notation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ventelney's invention such that upon selection of said handwritten note, audio notes recorded at or near the time at which said handwritten note was created are located as in Arons, to dynamically link the attribute data for a particular user notation to the corresponding time-varying media that was recorded or reproduced at the same time that the user notation was made (column 4, lines 29-34).

Regarding **claim 78**, Vertelney discloses a process wherein locating said audio notes includes the step of querying a database for audio clips (column 16, lines 1-20).

Regarding **claim 79**, Vertelney discloses a process wherein locating said audio notes includes the step of searching a table (searches groups; column 11, lines 60-62 with column 14, lines 4-12).

Regarding **claim 80**, Vertelney discloses a process wherein locating said audio notes includes the step of searching a linked list (searches groups; column 11, lines 60-62 with column 14, lines 4-12).

Regarding **claim 81**, Vertelney discloses a process wherein said audio notes are comprised of audio clips in which each audio clip has a time of creation associated with each audio clip (audio clips; column 10, line 6 with line 29 and timestamps; figure 6).

Regarding **claim 82**, Vertelney discloses a process further comprising the step of:

playing said audio notes (playing audio commentary; column 5, lines 13-30).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 703.305.5593. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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JRJ
August 23, 2004

W. R. YOUNG
PRIMARY EXAMINER